

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED

MAR 06 2017

KSBN

IN THE MATTER OF KARA BURKHART
License No. 24-29476-081
Case No. 15-1124-6

AGREED ORDER TO SURRENDER LICENSE

1. Licensee, Kara Burkhardt is licensed to practice nursing in Kansas. The Kansas State Board of Nursing (KSBN) has jurisdiction over the Licensee and the subject matter of this action.
2. After an investigation, the Board's investigative committee found reasonable grounds to believe that Licensee violated the Kansas Nurse Practice Act, K.S.A. 65-1120.
3. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120 is established.
4. Licensee has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions. Licensee is waiving those rights and voluntarily entering into this agreement to Surrender his/her license instead of proceeding to such a hearing.
5. The Licensee understands that pursuant to K.S.A. 77-515, Licensee may be represented at Licensee's expense by, an attorney during these proceedings.
6. Licensee understands that surrender of his/her license will be considered by the Board to be a disciplinary action and will be reported to the appropriate entities, as required by state and/or federal guidelines.

7. Licensee acknowledges that this agreement is an open record pursuant to the Kansas Open Records Act, K.S.A 45-215 et seq., and may be published or disseminated notwithstanding any state or federal law otherwise restricting public access to, or dissemination of, any personal or health care information, or any information or records of substance abuse evaluation and/or treatment contained herein. This order will be disseminated to national data banks.

8. Licensee acknowledges that the Board was prepared to prove Licensee violated the Kansas nurse practice act with the following facts:

Licensee was referred by the Board to the Kansas Nurses Assistance Program (KNAP) due to misdemeanor convictions for DUI, public intoxication, and domestic assault/battery. Licensee enter a one-year extended evaluation contract with KNAP on or about February 22, 2016.

On or about March 29, 2016, Licensee received a non-compliance from KNAP for failing to test as required. On or about May 9, 2016, Licensee admitted to taking Tramadol without a prescription. This was treated as a relapse in the program and KNAP transitioned Licensee to a three-year monitoring contract. Licensee then missed three consecutive check-ins and told a KNAP representative by phone that she moved to Texas to care for a parent and she would no longer participate in KNAP. Licensee's KNAP case was closed as unsuccessful. On or about July 27, 2016, Licensee wrote to the Board stating "I will voluntarily surrender my KS license at this time."

9. Licensee hereby agrees to surrender his/her license or privilege to practice as a nurse for a minimum of one (1) year, effective on date of service. In exchange the Board agrees to consider reinstatement of Licensee's license upon request.

10. Prior to requesting reinstatement, Licensee must contact the Board to determine what information will be needed for reinstatement to be considered, and submit the requested information with Licensee's reinstatement application.

11. By signing this Agreed Order to Surrender License, Licensee acknowledges that Licensee has read and understands the entire document, and agrees to be bound by its terms.

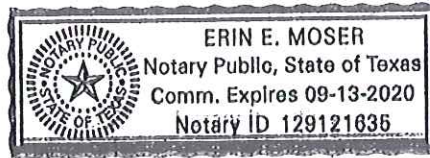
Agreed to by Licensee:

Kara Burkhardt
Licensee Printed Name

Kara Burkhardt
Licensee Signature

2/27/17
Date

Erin E. Moser
Notary Public



Prepared and Approved by:

Michelle David
Michelle David, 26982
Special Assistant Attorney General

ON THE 6TH DAY OF MARCH, 2017, IT IS HEREBY ORDERED THAT LICENSEE'S KANSAS NURSING LICENSE IS VOLUNTARILY SURRENDERED AND REVOKED.

Judith Hiner RUSN
Judith Hiner / Presiding Officer
Kansas State Board of Nursing

The officer whose signature appears above has been designated by the Kansas State Board of Nursing to exercise the Board's authority pursuant to K.S.A. 65-1106, et. seq and K.S.A.77-514., which includes the issuance of orders.

CERTIFICATE OF SERVICE

On the 6TH day of MARCH, 2017, I mailed via USPS a copy of this

AGREED ORDER TO SURRENDER to:

Kara Burkhart
113 East Poplar St.
Independence, KS 67301



Staff Member
Kansas State Board of Nursing